



Gang Membership, Duration, and Desistance: Empirical Literature Review

Drafted to Support AB90 (CalGang) Work

AB 90 Research Assessment: Gang Definitions, Duration, and Desistance

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Assembly Bill (AB) 90 Research Assessment: Gang Definitions, Duration, and Desistance

Executive Summary

Statement of Purpose

- The purpose of this document is to provide a review of the relevant social science literature related to determining whether a group is or is not a gang, determining who is a gang member, how long someone remains a member, and issues related to gang desistance.

Gang Definitions

- There have been decades of debate and disagreement within the research and academic community surrounding the adoption of a gang definition. Within the research literature versions of the California definition have been recognized but have not been widely accepted as a baseline definition.
- The Eurogang consensus definition provides some similarities and differences with the AB 90 definition.
- Other gang definitions vary in whether gang descriptors such as level of organization or territorial claiming are required.
- Research has occasionally avoided providing a gang definition and allowed the respondent to determine their own parameters for what groups are and are not gangs.

Gang Member Identification

- Researchers identify gang members by using a self-nomination method where respondents are asked whether they belong to a gang.
- The self-nomination method is considered to be valid and reliable.
- Some jurisdictions use a criteria-based method similar to what was used to identify members for inclusion in the CalGang database. These methods often include some form of self-nomination as a criterion.
- There are some variations in the criteria used by various jurisdictions and the number and type of criteria required for gang member classification.

Identifying Gang Associates

- A few jurisdictions with criteria-based gang member definitions allow gang associate classification for individuals who do not meet the full gang member requirements. For example, if the jurisdiction requires two criteria to be met for gang membership classification, one criterion would be sufficient for designation as a gang associate.

- This method speaks to information available to law enforcement and may not reflect an individual's actual relationship to a gang. Specific criteria may be more or less valuable, but researchers have not uniformly adopted a specific set of criteria or whether a specific number of factors should be required when distinguishing "member" from "association".
- Modern gang researchers are likely to consider individual relationships with gangs in terms of gang embeddedness and social network perspectives.

Duration of Membership

- Gang membership for the vast majority of individuals is a temporary status and is not permanent.
- Longitudinal studies of youth tend to indicate membership of one to two years.
- Research indicates that a small subset of individuals persists in gang membership for four years or longer. There is evidence that some may be carry-over members from adolescence and some may be adult-onset members.
- Researchers find that gang members tend to be youth, but law enforcement reports that the majority of gang members are adults. This could be a result of law enforcement including the most persistent gang members who are engaged in behaviors most likely to garner police attention. On the other hand, this could possibly be evidence of underincluding actual youth gang members, overincluding adults who are not currently members, neither, or some degree of both.

Gang Desistance and Identifying Former Gang Members

- Research issues related to gang desistance might be considered in tandem with policies that may be implemented to determine whether or not a person ought to be removed from a gang database.
- Gang desistance is both the event of de-identification as a gang member and the process of disengagement through a progression of reduced embeddedness in the gang.
- De-identification has been measured by a self-nomination method. However, those who have de-identified are likely to maintain social or emotional ties to the gang. Conversely, older members may not de-identify but may have disengaged from younger members and no longer engage in crime.
- Disengagement may be marked by serious employment or education, moving away from the city, violent withdrawal from the group, and verification from embedded gang members that the individual has left.

Statement of Purpose

The purpose of this document is to provide a review of the relevant social science literature to support the Gang Database Technical Advisory Board.

This document will focus on the following portions of AB90 – the Fair and Accurate Gang Database Act of 2017:

AB 90 SEC. 7. Sec. 186.36(l) The regulations issued by the department shall include, but not be limited to, establishing the following: ...

(2) Criteria for designating a person as a gang member or associate that are unambiguous, not overbroad, and consistent with empirical research on gangs and gang membership.

(3) Retention periods for information about a person in a shared gang database that is consistent with empirical research on the duration of gang membership.

(4) Criteria for designating an organization as a criminal street gang and retention periods for information about criminal street gangs.

The remainder of this document considers the empirical (and includes some non-empirical) research related to determining whether a group is or is not a gang, determining who is a gang member, how long someone remains a member, and issues related to gang desistance.

Gang Definitions

Definitional issues for determining whether a group is or is not a gang are an important threshold consideration. A person cannot be considered for inclusion in a gang database as a gang member or associate unless the group at issue is validly and reliably defined as a gang. Thus considering a general gang definition is a good place to begin.

In the audit of the CalGang database by the California State Auditor it was noted that “law enforcement agencies using the CalGang database ensure that groups meet the definition of a *gang* in CalGang policy” before groups entering into the database (2016, p. 28). The State Auditor seemed primarily concerned with the aspects of the gang definition requiring at least three people, documentation of criminal activity, and failures to timely purge individuals and gangs. However, it is not known whether, if additional definitional characteristics are adopted, those criteria would also need to be supported by documentation prior to the entry of a group as a gang into a database.

AB 90 and California Statutory Street Gang Definition

The AB 90 statute requires that criteria be identified and used when entering an individual into the CalGang database (AB 90 SEC. 7. Sec. 186.36 (l) (4)). The statute also provides a definition of criminal street gang which without a legislation change, may create certain limitations when considering the application of research definitions of the term “gang.” The AB 90 definition is:

“‘Criminal street gang’ means an ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of crimes enumerated in paragraphs (1) to (25), inclusive, and paragraphs (31) to (33), inclusive, of subdivision (e) of Section 186.22 who have a common identifying sign, symbol, or name, and whose members individually or collectively engage in or have engaged in a pattern of definable criminal activity.” (AB 90 SEC. 4. Sec. 186.34(a)(1))

This AB 90 definition is slightly different from the definition of “criminal street gang” in Cal. Penal. Code § 186.22(f) (2017) provided below:

“[A]ny ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more of the criminal acts enumerated in paragraphs (1) to (25), inclusive, or (31) to (33), inclusive, of subdivision (e), having a common name or common identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity.”

There have been decades of debate and disagreement within the research and academic community surrounding the adoption of a gang definition. Within the research literature versions of the California definition have been recognized, but have not been widely accepted as a baseline definition. The following sections will discuss a few gang definition variations and their comparison to the AB 90 definition.

Eurogang Definition

“A street gang is ... any durable, street-oriented youth group whose involvement in illegal activity is part of its group identity” (Weerman, et. al., 2009, p. 20).

The Eurogang Research Program began with a series of meetings and workshops that included over 100 gang researchers and scholars who eventually developed this gang definition (Klein & Maxson, 2006). Among several modern gang researchers it is considered a “consensus” definition, despite the history of debate surrounding terminology.

Noting past disagreement regarding gang definitions, the group attempted to identify the difference between gang definers and gang descriptors. “Gang definers are those elements that are absolutely essential to characterize the group as a gang, while descriptors refer to those elements that help to describe the particular elements of the group” (Weerman, et. al., 2009, p.

19). The Eurogang group believed that items such as group names, colors, symbols, and tattoos were descriptors and thus not essential elements to include in defining whether a particular group was or was not a gang.

The Eurogang group also further conceptualized and operationalized the elements of its definition. Durability was intended to differentiate gangs from short-term collections of individuals. It applies to groups that exist for at least three months even though individual members may change. Street-oriented groups spend time in public places without adults. It was unimportant to the Eurogang group for the street-oriented requirement to actually occur on the street – any public place would suffice as long as the group was away from school or home. (Weerman, et. al., 2009).

To satisfy the youth portion of the definition, the Eurogang group requires a preponderance of the alleged gang to be within twelve and twenty-five years old. Lastly, illegality is incorporated in the Eurogang definition through the group identity requirement. The behavior must both be illegal and part of the “identity and culture of the group” (Weerman, et. al., 2009, p. 20). This group identity is separate and distinct from individual group members.

The Eurogang group has utilized their gang definition to develop a survey instrument to be used by researchers when doing individual-level research with youth. Their Youth Survey uses a “funneling technique” to determine whether a respondent is a member of a group that would classify as a gang under the Eurogang definition (Weerman, et. al., 2009, p. 30). A sequence of questions is asked that funnels the respondent step-by-step through the Eurogang definition. Researchers are strongly encouraged to ask the questions verbatim to properly execute this funneling method. The sequence is as follows:

Introductory Question: “During the past 12 months, have you participated in any teams, scouts, sports clubs, or other formal groups in your school, neighborhood, or city?”

Core Gang Question 1: “In addition to any such formal groups, some people have a certain group of friends that they spend time with, doing things together or just hanging out. Do you have a group of friends like that?”

Core Gang Question 2: “Which of the following best describes the ages of the people in your group? 1. Under twelve; 2. Twelve to fifteen; 3. Sixteen to eighteen; 4. Nineteen to twenty-five; 5. Over twenty-five”

Core Gang Question 3: “Does this group spend a lot of time together in public places like the park, the street, shopping areas, or the neighborhood?”

Core Gang Question 4: “How long has this group existed? 1. Less than three months; 2. Three months to less than one year; 3. One to four years; 4. Five to ten years; 5. Eleven to twenty years; 6. More than twenty years”

Core Gang Question 5: “Is doing illegal things accepted by or okay for your group?”

Core Gang Question 6: “Do people in your group actually do illegal things together?” (Introductory Question, Core Gang Questions 1, 3, 5, and 6 taken from Weerman, et. al., 2009, p. 30; Core Gang Questions 2 and 4 taken from Eurogang Project, 2010).

There are several similarities between the Eurogang and AB 90 definitions and several key differences. AB 90’s three person designation is the bare minimum for a group and “durable” and “ongoing” could be considered relatively synonymous. However, AB 90 does not have an age limitation as required by the Eurogang definition. The Eurogang definition also explicitly considers where the group spends time together; this is not included in the AB 90 definition. The illegal behavior of the group is addressed in AB 90’s primary activity/individual or collective pattern requirement. But the Eurogang definition explicitly links illegality to group identity through its questions requiring both group acceptance and collective illegal behavior. Lastly, AB 90 requires a common group name, sign, or symbol. The Eurogang group dispenses with this as a descriptor unnecessary for definition.

Curry (2015) points out that groups who might otherwise be considered gangs would not be included in the Eurogang definition, such as those who avoid public places out of fear of law enforcement or violent behavior of other criminal groups (citing Aldridge, Medina-Ariz, & Ralphs, 2012). Additionally, a group whose primary focus is the taking of illegal narcotics would be included as a gang under the Eurogang definition; these groups have been excluded by other researchers (Curry, 2015).

Additional Definitions

As a result of a mid-1970s survey of individuals such as prosecutors, ex-convicts, and law enforcement, Walter Miller posited the following definition of youth gangs.

“[Youth gangs are] a self-formed association of peers, bound together by mutual interests, with identifiable leadership, well-developed lines of authority, and other organizational features, who act in concert to achieve a specific purpose or purposes which generally include the conduct of illegal activity and control over a particular territory, facility, or type of enterprise” (Klein & Maxson, 2006, p. 7 quoting Miller, 1980, p. 121).

While individuals in Miller’s survey listed 1,400 diverse aspects of youth gangs, 85% agreed on the characteristics included in the definition (Ball & Curry, 1995).

There are several important differences between AB 90 and Miller’s gang definition. Miller demands the presence of organizational components like leadership and authority channels. While AB 90 likely assumes some base level of organization is needed to group together initially and adhere to common signs or symbols, there is nothing indicating that significant organization is necessary. Klein and Maxson take issue with the organizational requirements of the definition and note “[t]he question of how well organized street gangs are has become one of the more contentious issues between scholars and practitioners (2006, p. 7). In one study, Decker, Katz, and Webb (2008) found that only 33% of respondents who were

current gang members reported that their gang had a leader, 36% had regular meetings, and 37% reported that members had responsibilities to the gang. However, Decker, Katz, and Webb also concluded, “[t]he more organized the gang, even at low levels of organization, the more likely it is that members will be involved in violent offenses, drug sales, and violent victimizations” (2008, p. 169).

Further, acting in concert to control territory or, more broadly, some type of enterprise is required for Miller, whereas AB 90 and Eurogang do not require any group territorial claims. This territorial piece is not completely unique to Miller’s definition. For example, Curry and Decker (1998) provided a description of six elements included in many gang definitions. These characteristics described by Esbensen, Winfree, He, and Taylor are “being a social group, using symbols, engaging in verbal and nonverbal communications to declare their ‘gang-ness,’ a sense of permanence, gang identified territory or turf, and lastly, crime” (2001, p. 109, citing Curry & Decker, 1998, pp. 2–6).

As a final variation to consider, Howell notes the definitional debate and provides a “practical definition” that requires “five or more members; members share an identity, often linked to a name and other symbols; members view themselves as a gang and are recognized by others as a gang; the group has some permanence and a degree of organization; and the group is involved in an elevated level of delinquent or criminal activity” (Howell & Griffiths, 2018).

National Youth Gang Surveys

Between 1996 and 2012 the National Gang Center carried out the National Youth Gang Survey (National Gang Center, *National youth gang survey analysis*). This survey was delivered to a variety of law enforcement agencies and jurisdictions and was intended to measure levels of gang activity.

Similar to portions of Miller’s definitional methodology, the National Gang Center’s approach relies upon the insights of law enforcement. However, instead of gathering definitional characteristics to piece together the most popular elements to build a threshold definition, the National Gang Center tosses the definitional conundrum to the respondent law enforcement agency.

A youth gang is “[a] group of youths or young adults in your jurisdiction that you or other responsible persons in your agency or community are willing to identify or classify as a ‘gang.’ DO NOT include motorcycle gangs, hate or ideology groups, prison gangs, or other exclusively adult gangs.” (Egley, Howell, & Major, 2006, p. 4).

Nevertheless, the National Gang Center did provide some caveats to its definition. Respondents were instructed to avoid focusing on the legal definition of the term “juvenile” as this legal term varies from state to state and should instead consider the more generalized definition of “youth” (National Gang Center, *National youth gang survey analysis*). In addition, “motorcycle gangs, hate or ideology groups, prison gangs, and exclusively adult gangs” were not to be included (Egley, et. al, 2006, p. 4).

The National Gang Center recognized the specific limitation of this definitional decision, but suggested that it may provide a strength as, “[t]his approach is both less restrictive and self-determining, allowing for the variation in gang definitions across communities” (Egley, et. al, 2006, p. 4). Researchers have also argued that gangs and gang behavior varies from place to place and “it is important that definitions reflect a local character” (Decker & Kempf-Leonard, 1991, p. 286). While this approach retains the discretion of local agencies to determine what groups are and are not gangs, it sacrifices a degree of uniformity in application. An agency might decide a group in its jurisdiction is a gang when no other agency or researcher would do so.

The 1998 iteration of the survey included an attempt to define the criteria utilized by law enforcement agencies in making their gang determinations. The survey offered six features and asked each agency respondent to rank order them from most to least important. The criteria were as follows:

- “Commits crimes together
- Has a name
- Hangs out together
- Claims a turf or territory of some sort
- Displays/wears common colors or other insignia
- Has a leader or several leaders” (National Youth Gang Center, 2000, p. 40).

The item “commits crimes together” was ranked most important by half of the agencies responding and it was the least likely item to be ranked last. These facts, along with frequency sequence and spread, led the authors of the study to conclude that this factor was the most relevant factor utilized (National Youth Gang Center, 2000).

The item “has a name” was selected most important by 19% of the agencies and received the second most first-place votes. However, the researchers questioned the importance of this factor because it received an almost equal number of ranks across each voting condition – almost as many agencies ranked having a name as least important as did agencies who ranked it as most important.

There was also evidence of wide variation in the importance of “claim[ing] a turf or territory of some sort.” This item received the most votes for least important characteristic while simultaneously receiving the most votes for the second most important characteristic.

In addition to the variation in item rankings, respondents were asked to provide other definitional aspects that they believed were relevant. Assorted responses included appearance, attitudes, associations, member numbers, and either the presence or even absence of leadership.

Self-Nomination Approach

Researchers have often bypassed the definitional question altogether by simply asking survey respondents if they are members of a gang (see e.g., Bjerregaard, 2002; Decker, Melde, & Pyrooz, 2013; Esbensen, et. al., 2001). This method relies on the respondent’s own individual understanding and application of the term instead of providing a definition. The Eurogang Research Program Group refers to asking respondents to self-nominate gang membership as “the filtering approach” as opposed to their funneling technique (Weerman, et. al., 2009, p. 30). Self-

nomination has been found to validly categorize non-gang members, former gang members, and current gang members (Decker, Pyrooz, Sweeten, & Moule, 2014; Esbensen, et. al, 2001).

Critics have pointed out that this approach may intensify nebulous definitional boundaries. Law enforcement and researchers may have one conceptualization of the term while, “[f]or young people on the street, the ‘gang’ might represent the territorial belonging, community and identity of a group of friends” (Fraser & Atkinson, 2014, p. 157). This understanding of the term “gang” is unrelated to whether the group engages in specific criminal behaviors, which are required by both the AB 90 and Eurogang definitions.

These misunderstandings might be particularly acute for cross-cultural identification. Youth may use different terms for groups that researchers and law enforcement may or may not consider gangs depending upon the definition selected. For example, one set of researchers “found that the youths themselves use different names to describe gangs, including clique, crew, posse, or mob” (Franzese, Covey, & Menard, 2016, p. 10 citing Amato & Cornell, 2003).

Despite the potentiality for differing conceptualizations, researchers have found meaningful differences between those who self-identify as gang members and those who do not. Esbensen, et. al. (2001) found respondents who self-nominated as gang members also self-reported significantly higher levels of delinquent behavior as compared to those who did not self-nominate. Additionally, Esbensen, et. al. (2001) further split the sample into several groups: Gang (self-nominated only), Delinquent Gang (self-nominated and admits the gang engages in specified criminal behaviors), Organized Delinquent Gang (Delinquent Gang criteria and gang has initiation rites, an established leader, and symbols and colors), and Core Gang (Organized Delinquent Gang criteria and respondent self-identifies as a core member).

These definitional restrictions did matter. The number of individuals satisfying each level declined as more qualifiers were added and “[a]s additional restrictions were placed ... the attitudes and behaviors of the gang members became increasingly more antisocial, with the relatively small sample of core gang members manifesting the most extreme responses” (Esbensen, et. al., 2001, p. 123).

Matsuda, Esbensen, and Carson (2012) found limited overlap between respondents who self-nominated, were identified by the Eurogang definition and protocol, and also indicated that they considered their “group of friends to be a gang.” At one wave of data collection only 9% of respondents who met a single condition met all three. They also found some demographic differences between the groups, while the demographics remained stable across the conditions in the Esbensen, et. al. (2001) study. Additionally, Matsuda, Esbensen, and Carson (2012) also noted that respondents in any of the conditions engaged in more delinquent behavior compared to non-gang youth.

Gang Member Identification

One of the difficulties inherent in identifying gang membership for the purposes of inclusion in a database are concerns regarding overinclusion and underinclusion. In research parlance, misidentification of gang members is either a Type 1 error (false positive) or a Type 2 error (false negative). A Type 1 error occurs when a non-gang member is designated as a gang

member in the database and a Type 2 error is when an actual gang member is not included (Barrows & Huff, 2009). Both errors are problematic and reduce the value of the database.

Type 1 errors are addressed in The Fair and Accurate Gang Database Act of 2017 mandate that criteria are “not overbroad.” However, it is important to be mindful that any adopted criteria not be underinclusive and invite an abundance of Type 2 errors (false negatives).

A specific identifying set of criteria has not been uniformly adopted by researchers to determine gang membership. Researchers who utilize surveys to study gangs often use a self-nomination process. Instead of attempting to identify gang members through a series of classifying criteria, respondents are simply asked: “Are you currently in a gang?” (Decker, Pyrooz, Sweeten, & Moule, 2014, p. 579). This method has been used to draw a wide range of conclusions about gangs and gang members, and is generally considered by researchers to be a valid and reliable method to distinguish gang members from non-members (Esbensen, Winfree, He, & Taylor, 2001; see also Decker, Melde, & Pyrooz, 2013; Decker, Pyrooz, Sweeten, & Moule, 2014). For example, those who self-nominate as gang members also report higher levels of delinquent behaviors (Esbensen, et. al., 2001).

Researchers may provide a definition for respondents to consider prior to self-nomination. The National Longitudinal Survey of Youth 1997 provided this definition before respondents were asked whether they were gang members – a gang is “a group that hangs out together, wears gang colors or clothes, has set clear boundaries of its territory or turf, and protects its members and turf against other rival gangs through fighting or threats” (Pyrooz, 2014, p. 355). Other researchers might provide a further limitation before considering a respondent to be a gang member, such as the commission of certain offenses like whether the gang fought with other gangs or engaged in robberies, the respondent’s ability to name the gang, or whether the group engages in crime together (See generally Klein & Maxson, 2016, p. 23–40; Weerman, et. al., 2009).

As previously discussed, these types of limitations have also been used to further partition self-nominated gang members for additional analysis. For example, Winfree, Fuller, Vigil, and Mays (1992) considered respondents in their study as gang members who self-identified as such, but also examined a subset of this group under a more restrictive standard. This standard required self-nomination, an indication that the respondent had been initiated, and “that the gang endorsed one or more external symbols of membership, including the following: ‘colors,’ tattoo(s), or handsigns” (Winfree, et al., 1992, p. 31). Whether or not a limitation is applicable, and which limitation ought to be applied may be debated, but is also dependent upon the gang definition selected. Nevertheless, in essence, these are all variations on the same theme of self-nomination.

The CalGang database used a criteria-based definition to determine gang membership. According to the information examined during the audit of CalGang by the California State Auditor ten criteria were relevant for consideration to put a person into the database. According to this report, “[b]efore a CalGang user can add an individual to CalGang as a gang member, a trained law enforcement officer generally must affirm that the individual meets at least two gang membership criteria” (California State Auditor, 2016, p. 15). However, if a person admitted status as a gang member during in-custody classification an additional criterion was unnecessary

(California State Auditor, 2016). The ten criteria used, and their frequency of use as identified in the audit report, are as follows:

1. Subject has admitted to being a gang member. (58%)
2. Subject has been seen associating with documented gang members. (44%)
3. Subject is known to have gang tattoos. (43%)
4. Subject has been seen frequenting gang areas. (30%)
5. Subject has been seen wearing gang dress. (25%)
6. In-custody classification interview. (24%)
7. Subject has been arrested for offenses consistent with usual gang activity. (11%)
8. Subject has been seen displaying gang symbols and/or hand signs. (7%)
9. Subject has been identified as a gang member by a reliable informant/source. (6%)
10. Subject has been identified as a gang member by an untested informant. (1%)

(California State Auditor, 2016, p. 15).

The AB 90 legislation requires a purge of individuals from the database “designated as a suspected gang member, associate, or affiliate ... whose entry was based upon the following criteria: jail classification, frequenting gang neighborhoods, or on the basis of an untested informant” (AB 90 SEC. 7 Sec. 186.36(r)(1)). This clause may impact the future development of criteria for designating a person as a gang member or associate.

Statutory Gang Membership Definitions

In the absence of uniformly adopted criteria-based definitions that are widely used in empirical research to identify gang members, it may be useful to examine several legally derived gang member definitions. State statutes defining gang membership are not common. According to a National Gang Center review of state law only 14 states provide a definition for gang membership (National Gang Center, 2016). Of these, seven present a criteria-based definition (Arizona, Florida, Idaho, Kansas, New Hampshire, South Dakota, and Tennessee). The remaining definitions consist of variations similar to the Mississippi statute – “actually in fact belongs to a gang” – or the Wisconsin statute – “participates in criminal gang activity” (MISS. CODE § 97-44-3; WIS. STAT. § 939.22).

Florida law provides a similar framework to the CalGang policy. According to Florida Statute § 874.03 if a person meets at least two of the following they can be classified as a gang member:

1. Admits to criminal gang membership
2. Is identified as a criminal gang member by a parent or guardian
3. Is identified as a criminal gang member by a documented reliable informant
4. Adopts the style of dress of a criminal gang
5. Adopts the use of a hand sign identified as used by a criminal gang
6. Has a tattoo identified as used by a criminal gang
7. Associates with one or more known criminal gang members

8. Is identified as a criminal gang member by an informant of previously untested reliability and such identification is corroborated by independent information
9. Is identified as a criminal gang member by physical evidence
10. Has been observed in the company of one or more known criminal gang members four or more times. Observation in a custodial setting requires a willful association. It is the intent of the legislature to allow this criterion to be used to identify gang members who recruit and organize in jails, prisons, and other detention settings
11. Has authored any communication indicating responsibility for the commission of any crime by the criminal gang (FLA. STAT. § 874.03(3)).

Kansas offers a variation where admission of gang membership alone is sufficient and additional criteria do not need to be demonstrated (KAN. STAT. ANN. § 21-6313(b)(1)). If an admission is not present, however, Kansas requires three of the following criteria to be present:

1. Is identified as a criminal street gang member by a parent or guardian
2. Is identified as a criminal street gang member by a state, county, or city law enforcement officer or correctional officer or documented reliable informant
3. Is identified as a criminal street gang member by an informant of previously untested reliability and such identification is corroborated by independent information
4. Frequents a particular street gang's area
5. Adopts such gang's style of dress, color, use of hand signs or tattoos
6. Associates with known criminal street gang members
7. Has been arrested more than once in the company of identified criminal street gang members for offenses which are consistent with usual criminal street gang activity
8. Is identified as a criminal street gang member by physical evidence including, but not limited to, photographs or other documentation
9. Has been stopped in the company of known criminal street gang members two or more times
10. Has participated in or undergone activities self-identified or identified by a reliable informant as a criminal street gang initiation ritual (KAN. STAT. ANN. § 21-6313(b)).

South Carolina has a non-criteria-based statutory gang member definition ("active member of a criminal gang" S.C. CODE § 16-8-230) but has promulgated administrative regulations that are somewhat similar in form to the Kansas statute. The South Carolina regulations allow gang member classification following admission "at the time of arrest or incarceration, to being a member of a criminal gang" (S.C. CODE REGS. 73-550(1)). Absent an admission, gang member classification can be applied after two or more of the following are satisfied:

1. An individual is identified as a criminal gang member by a documented reliable informant
2. An individual resides in or frequents a particular criminal gang's or group's area, and adopts their style of dress, their use of hand signs, or their tattoos, and associates with known criminal gang or criminal group members

3. An individual is identified as a criminal gang member as corroborated by independent information
4. An individual has been arrested more than once in the company of identified criminal gang members for offenses which are consistent with usual criminal gang activity, or criminal group activity for which the criminal group is associated with
5. An individual admits, at a time other than arrest or incarceration, to being a member of a criminal gang (S.C. CODE REGS. 73-550).

A search of both “gang member” and “gang database” in the administrative regulations Westlaw database did not reveal additional suitable information beyond the South Carolina material.

In the Texas Code of Criminal Procedure a list of criteria is provided that must be considered before an individual can be added to a gang intelligence database. While not explicitly a “gang member” definition it is similar to the criteria-based definitions described above.

The Texas statute states that either a self-admission of gang membership made during a judicial proceeding or a legal judgment that requires a finding of gang participation are alone sufficient for inclusion in the database (TEX. CODE CRIM. PRO. ANN. art. 61.02(c)(2)). If neither a legal judgment nor a self-admission during a judicial proceeding are available, a person can be entered into the database if they meet at least two of the following criteria:

1. A self-admission by the individual of criminal street gang membership that is not made during a judicial proceeding, including the use of the Internet or other electronic format or medium to post photographs or other documentation identifying the individual as a member of a criminal street gang
2. An identification of the individual as a criminal street gang member by a reliable informant or other individual
3. A corroborated identification of the individual as a criminal street gang member by an informant or other individual of unknown reliability
4. Evidence that the individual frequents a documented area of a criminal street gang and associates with known criminal street gang members
5. Evidence that the individual uses, in more than an incidental manner, criminal street gang dress, hand signals, tattoos, or symbols, including expressions of letters, numbers, words, or marks, regardless of how or the means by which the symbols are displayed, that are associated with a criminal street gang that operates in an area frequented by the individual and described by [criterion 4]
6. Evidence that the individual has been arrested or taken into custody with known criminal street gang members for an offense or conduct consistent with criminal street gang activity
7. Evidence that the individual has visited a known criminal street gang member, other than a family member of the individual, while the gang member is confined in or committed to a penal institution
8. Evidence of the individual’s use of technology, including the Internet, to recruit new criminal street gang members (TEX. CODE CRIM. PRO. ANN. art. 61.02(c)(2)(C)).

These criteria are fairly similar to those used by CalGang, Florida, Kansas, and South Carolina; however, there are a few differences. Frequenting a geographic area and associating with gang members are collapsed into one single criterion. The Texas statute suggests that frequenting a specific geographic area and associating with gang members would both need to be met and, if so, this would only count as satisfying one criterion; an additional criterion from the list would still need to be demonstrated. This is different from the CalGang policy and the Kansas statute where the same facts would count as meeting two separate criteria. Of course, this is a matter of interpretation and depends upon how strictly the statute is read. A similar risk of interpretation is present in the second criterion in the South Carolina regulations (“...individual resides in or frequents a particular criminal gang’s or group’s area, and adopts their style of dress, their use of hand signs, or their tattoos, and associates with known criminal gang or criminal group members”).

Texas adds a requirement that gang dress, hand signals, tattoos, or symbols be used “in more than an incidental manner” (TEX. CODE CRIM. PRO. ANN. art. 61.02(c)(2)(C)(v)). The intent to avoid overbroad inclusion of individuals in the database is apparent, but the use of this terminology potentially invites variation in practical application. Technology is also represented in the Texas statute. Use of the Internet to recruit is included as a criterion and the self-admission criterion is expanded to include use of the Internet to post photographs.

Lastly, an additional clause in the Texas statute specifically excludes a particular combination of criteria from allowing inclusion in a database (TEX. CODE CRIM. PRO. ANN. art. 61.02(d)). Frequenting a geographic area and associating with members (one criterion) combined with visiting a non-family gang member in a penal institution (second criterion) are not sufficient. In this case an additional third criterion would be needed.

All seven of the state statutory gang member criteria-based definitions, the South Carolina administrative criteria-based regulation, and the Texas database statute include self-nomination as a gang member as a relevant factor, though there is some variation present. Florida has admission as an available factor that must be accompanied by at least one additional criterion, similar to the CalGang policy. Kansas allows self-nomination alone to suffice. The context of the admission is relevant in the South Carolina regulation – admissions at arrest or incarceration alone are good enough; admissions at any other time must be accompanied by another criterion. Context is also relevant for the Texas statute with an admission during a judicial proceeding sufficient, but all other admissions counting as a single criterion.

The fact that criteria-based definitions include admissions in some form as relevant, along with widespread social science research adoption, does suggest support for the use of self-nomination in some form as a valid criterion for the California database.

Even though most jurisdictions do not provide formal statutory or regulatory guidance for gang member designations, many law enforcement agencies use some variation of several of the criteria discussed above. The 2012 version of the National Youth Gang Survey of law enforcement agencies included a measure that attempted to determine how often certain criteria were used to categorize someone as a member of a gang (Egley, Howell, & Harris, 2014). Six criteria were selected for the study: Displays gang symbols (colors, tattoos, etc.), has been arrested or associates with known gang members, self-nomination (custodial setting), self-

nomination (noncustodial setting), another law enforcement agency designation, and identification by a reliable informant.

Displaying gang symbols was reported to be the most used with 66.1% of agencies indicating the criteria was used “very often” and 28.8% stating the criteria was used “sometimes” (National Gang Center, *National youth gang survey analysis*). Arrested or associates with known gang members was the second most used at 55.9% reporting “very often” and 35.7% stating “sometimes.” Third was self-nomination in a custodial setting with 53.9% of agencies indicating “very often” and 32.9% stating “sometimes.” Self-nomination in the non-custodial setting was fourth most used with a “very often” response from 49.2% of agencies and “sometimes” from 37.2%. Fifth, was designation as a gang member from another agency. This was reported as “very often” by 42% and “sometimes” by 41.4%. Lastly, reliable informant designation was used “very often” by 25.3% and “sometimes” by 45.8% of respondents. Certainly, this survey does not speak to the validity of these criteria, but it is an indicator of their widespread use by law enforcement.

Identifying Gang Associates

Individuals could be entered into the CalGang database “as a gang affiliate if a law enforcement officer suspects the individual is involved in criminal activity and he or she affiliates with a documented gang member” (California State Auditor, 2016, p. 15). The CalGang audit did not provide any further definition regarding what it might mean to “affiliate” with a gang member. Within AB 90 the terms “gang member”, “suspected gang member”, “associate”, and “affiliate” are present at various times and with differing frequency (See e.g. AB 90 SEC 6 Sec. 186.35(a)). The CalGang audit did not include any substantive information that suggested that the term “associate” was being used in a meaningful way over the term “affiliate”. According to the CalGang audit, of the more than 150,000 individuals included in the database only 7.6% were classified as “affiliates” (California State Auditor, 2016, p.66)

Florida and Kansas both allow classification if someone admits to “gang association” (FLA. STAT. § 874.03(2)(a); KAN. STAT. ANN. § 21-6313(d)(1)). Absent an admission of association, both Florida and Kansas allow classification of gang association if gang membership cannot be verified by the required number of criteria. In both states, an individual can be classified as a gang associate if one less criteria is established. In Florida one criteria is good enough (FLA. STAT. § 874.03(2)(b)) and two criteria are required in Kansas (KAN. STAT. ANN. § 21-6313(d)(2)). This is not a widespread statutory method and I did not find other criteria-based methods for defining gang association.

Barrows and Huff (2009) describe a variation of this method once used in Minnesota where the distinction was not made between gang members and associates, but between “suspected” and “confirmed” gang members. The criteria-based policy allowed an individual who has “engaged in criminal activity” meeting a single criterion to be classified as a “suspected gang member” and if three or more criteria are met the person can be classified as a “confirmed gang member” (Barrows and Huff, 2009, p. 688-689).

Based upon an update provided by Huff and Barrows (2015), the organization overseeing this framework in Minnesota suffered a series of funding challenges and scandals. As a result,

the gang database program was significantly overhauled and likely does not currently operate with this same suspected/confirmed gang member structure.

Practically speaking, methods that differentiate between members and associates based in the number of criteria present may speak to the amount and quality of evidence available to law enforcement rather than a person's actual relationship with a gang. Furthermore, this method allows for potential overinclusion/Type 1 errors of gang associates dependent upon which criteria are used. For example, the single criterion of wearing gang dress or getting observed associating with gang members may or may not actually warrant inclusion in a gang database.

However, Curry, Decker, and Egley (2002) used a measure of gang involvement in a self-report study for youth who did not self-nominate as gang members. These youth were considered to be gang involved if they self-reported having gang members as friends, wore gang colors, hung out with gang members, or flashed gang signs. It was found that gang involved youth were at greater risk for victimization and delinquency (Curry, Decker, & Egley, 2002). The authors link these findings to earlier studies that found many gangs to have loose organizational structures. These loosely structured gangs might have a more gradual joining process with a larger number of youth who are gang involved, but lack clear membership status.

Obviously, some criteria ought to be considered more salient than others. Kennedy notes the absurd situation of "a gang member and his mother (who certainly has associated with him and who has probably written him in prison, which would make her a gang member in Minnesota)" (2009, p. 714). Bjerregaard (2003) maintains the adoption of clothing and colors as criteria may not adequately distinguish gang and non-gang individuals since youth culture may embrace similar styles of dress.

As researchers have largely relied upon forms of self-nomination there is no evidence establishing whether requiring two criteria or three criteria is a more or less valid method. Huff and Barrows have suggested, "Future research might help determine whether these other criteria points should, in fact, be given equal weight in determining one's gang status" (2015, eBook). It has been argued that at least three criteria should be required (Bjerregaard, 2003). Yet from a critical perspective, requiring additional criteria without knowing the relative weight each should be given "does little to add certainty" and may even provide a false illusion of accuracy (Klein, 2009, p. 718).

That being said, Katz, Webb, and Schaefer (2000) studied gang database information from Arizona that used the method described above to distinguish between members (two criteria) and associates (one criterion). They compared gang members and associates to juveniles who had been arrested, but were not identified in the gang database. This comparison group had the same ethnicity and lived in the same zip code as the gang members and associates. Identified gang members were largely arrested more often than gang associates. Likewise, for many of the offenses considered, gang associates were arrested more often than the comparison group. This led the researchers to conclude, "These findings demonstrate that placement into one of the categories of a police gang list as well as placement on the list goes beyond mere face validity and reflects the underlying properties and behaviors associated with gang participation." (Katz, Webb, & Schaefer, 2000, p. 434.)

There are a few important caveats to consider regarding this study. First, the study relies upon arrests as a measure of criminal activity. While accurate measurement of criminal behavior

is notoriously difficult, increased arrests may or may not actually reflect increased criminality. Second, it is possible that officers are using their discretion to determine whether an individual goes into the database as a member or an associate and this decision may not solely rely upon the number of criteria present. According to information gathered during an ethnographic research study of a gang unit, officers might not include an individual as a gang member/associate unless additional information existed (Katz, 2003). Gang unit members at times had used additional criteria not listed in the written policy, such as the gang involvement of family members or prior criminal history, to support gang involvement – simply meeting a single criterion did not always warrant documentation.

Lastly, the Katz, Webb, and Schaefer (2000) finding of validity in gang database distinctions between members, associates, and non-members using the criteria-based method is potentially a unique research finding. Katz, Fox, Britt, and Stevenson (2012) note this study, but also cite three additional studies conducted prior to 2000 that did not support a conclusion that law enforcement gang designations were valid. Thus, Katz, et. al. observed, “the literature on the validity of official gang data is somewhat mixed” (2012, p. 107).

Criteria-based definitions have been used to determine the proper length of time to include a person in a gang database. Katz (2003) describes the classification method used by a gang unit to document gang members in the pseudonymous “Junction City.” In the method described a person can be classified as a gang member in one of three categories: Associate/Wanna Be, Member, or Hardcore Member. The categorization depends upon specifically which criteria the person fulfills. Katz (2003, p. 496) presents the criteria as follows:

Associate/Wanna Be:

1. Individual who wears colored clothing and/or uses gang hand signals consistent with suspected gangs;
2. Individual associates/responds with known gang members and/or observed writing gang-related graffiti on any type of property; and
3. Individual is included in group pictures of known gang members or arrested in the company of identified gang members.

Member:

4. Commits criminal act as a gang member;
5. Self-admission, tattoos, or identified by a public source;
6. Identified by a reliable informant and corroborated by a reliable source;
7. Involved in gang retaliations, assaults, and/or drive-by shootings; and
8. Past criminal/prison records for gang-related activity, gang status corroborated by law enforcement agency.

Hardcore Member:

9. Individual fits criteria listed for the gang associate and gang member with the additional involvement in high-level narcotic distribution and/or commits gang-related felony crimes.

Only one criterion is required for inclusion as an associate/wanna be or a member. Drawing graffiti will garner inclusion as an associate/wanna be. Self-admission or a tattoo will result in categorization as a member. Hardcore members are people who have committed a gang-related felony or are involved in high-level narcotics distribution and also meet one of the criteria provided in the associate/wanna be or member categories. Katz (2003) found that the difference between these categories was that hardcore member records needed to be purged after five years, member records were purged after two years, and associate/wanna be records after one year (note that this article is from 2003; it is not known whether this method is used in other jurisdictions or whether it is still used in “Junction City”).

Gang researchers tend to discuss individual connections to gangs in a different fashion other than a categorization of members, associates, and non-members. A recent theoretical advancement has occurred applying the idea of criminal embeddedness, defined as “individual immersion within an enduring deviant network,” to the study of gangs (Pyrooz, Sweeten, & Piquero, 2013, p. 241).

Gang embeddedness has been measured by asking self-nominated gang members the following series of questions:

1. “How often do you have contact with the gang?”
Response categories: Less than monthly, two times a week to once a month, three to six times a week, daily
2. “What is your position in the gang?”
Response categories: Member, top person, leader
3. “How important is the gang to you?”
Response categories: Not at all important, a little bit, moderately, quite a bit, extremely
4. “How many of your friends are NOT members of the gang?”
Response categories: All, most, half, a few, none
5. “How often have you beaten up, threatened, or physically attacked someone as part of a gang in the past year?”
Response categories: Never, once or twice, three or four times, five or more times (Pyrooz, Sweeten, & Piquero, 2013, p. 249).

This gang embeddedness method arguably captures the variations of gang connections in a subtler fashion than a member/associate/non-member classification. Several of the questions to determine gang embeddedness may be relevant for someone whom law enforcement might consider a gang associate. However, it is important to point out that the gang embeddedness measures as described above were applied to individuals after they had already self-nominated as gang members.

Another similar concept that has been used in research attempts to measure core-fringe membership. This is similar to the gang embeddedness question regarding position in the gang. This method asks self-nominated gang members to “Imagine a bull’s eye target represents your gang with a 1 in the middle circle and a 5 in the outside ring. How far from the center of the gang

are you?” (Carson, Peterson, and Esbensen, 2013, p. 518.) Core members were individuals indicating a 1 or a 2 and fringe members were those selecting a 3, 4, or 5.

A final area that touches on the variations of individual relationships with gangs has been in the area of social network analysis. Researchers in this area have used several types of data to establish social links between individuals including co-arrest information, field interview cards, ethnographic observation, and information from law enforcement (Sierra-Arevalo & Papachristos, 2015). Social network researchers use mathematical analysis to examine the number and types of connections individuals have to each other. Sierra-Arevalo and Papachristos maintain that social network methodologies present “a more nuanced way of conceptualizing and measuring the often mutable, transitory nature of gang membership” (2015, eBook).

These concepts are possibly difficult to translate into directly actionable criteria for the purposes of gang database construction. Nevertheless, the information is useful to demonstrate the theoretical divide between the current direction of gang research and statutory attempts to define gang membership and association.

Duration of Membership

A wide refrain among gang researchers is that gang membership for the vast majority of individuals is a temporary status and is not permanent (See e.g., Carson, Peterson, & Esbensen, 2013; Melde, Diem, & Drake, 2012; Pyrooz, 2014). Research tends to indicate “periods of active gang membership rarely extend beyond one to two years” (Melde & Esbensen, 2014, p. 350).

Carson, et. al. (2013, p. 512) cite various longitudinal research studies and report a majority of youth indicate gang membership for only one year (50% to 69% in the studies cited) and fewer youth indicate membership for two years (11% to 28% in the studies cited). Melde, Diem, and Drake (2012) observed that of the 140 individuals who self-identified as gang members at least once during the five yearly waves of data collection, 81 (57.9%) indicated membership at only a single wave. Only 59 (42.1%) of self-identified gang members reported membership at two back-to-back data collection waves. During the five waves of data collection discussed by Melde, Diem, and Drake (2012), merely 12 (8.6%) out of 140 self-identified gang members indicated gang membership across three or more waves of data collection. Pyrooz, Decker, and Webb (2014) examined juvenile arrestee data and drew similar conclusions as other researchers who found that most youth leave gangs within a year. However, Decker, Pyrooz, and Moule (2014) conducted a study of 260 former gang members whose average age at the time the study was conducted was slightly less than 30. In this retrospective self-report survey respondents described leaving the gang, on average, around the age of 23 with 10 years of prior gang participation.

These studies are longitudinal studies of youth, while gang members often identified by law enforcement are adults. According to data from the National Youth Gang Survey that measures gang activity from the perspective of law enforcement, 65% of gang members are over the age of 18 (National Gang Center, *National youth gang survey analysis*). Only 1.7% of the individuals in the CalGang database were under the age of 18 (California State Auditor, 2016). This fact is slightly perplexing as Klein and Maxson cite a number of studies and conclude, “[T]he finding that the peak age for gang participation is at 14 or 15 is remarkably consistent

across self-report studies, regardless of the risk level of the sample, the restrictiveness of the gang definition, and the location of the study” (2006, p. 41).

There have been questions about the extent of the overlap between the gang issue as studied by researchers conducting surveys amongst youth and law enforcement efforts (Curry, 2000; Curry, 2015). On one hand, “law enforcement records are more apt to reflect the most active or core members [and] the longer an individual participates in a gang, the more likely he or she is to come to the attention of the police” (Klein & Maxson, 2006, p. 42). Short-term or inconsistent members may not ever come to the attention of the police and, therefore, never make it into a database (Klein, 2009). On the other hand, there is the concern reflected in the language of AB 90 regarding overinclusion and amongst some researchers about the possibility of the inclusion of “marginal gang associates” in a gang database (Barrows & Huff, 2009, p. 677). Thus, the ages of individuals represented in the CalGang database according to the audit could be a result of law enforcement including the most persistent gang members who are engaged in behaviors most likely to garner police attention. Then again, this could possibly be evidence of underincluding actual youth gang members, overincluding adults who are not currently members, neither, or some degree of both.

In an effort to examine gang membership onset and duration Pyrooz (2014) examined 13 yearly waves of data from the National Longitudinal Survey of Youth beginning in 1997. Consistent with the gang literature, Pyrooz (2014) concluded that on average gang careers tended to last two years or less, with almost half ending within a year and a vast majority ending in fewer than three years. However, two smaller groups of individuals identified as gang members for four years or longer. Pyrooz (2014) calls these the early persistent and late persistent trajectories. These were small parts of the overall sample; the early persistent trajectory was 6% of the entire self-nominated gang member sample and the late persistent was 4%. The early persistent trajectory joined a gang in early adolescence and continued in membership for four or more years, but this group tended to age out of the gang in later years along with the typical adolescent member.

Two trajectories identified by Pyrooz (2014) necessitate further discussion for the purposes of database consideration. As previously mentioned, the late persistent trajectory self-nominated as gang members for four years or longer. This group joined gangs at the same time as the majority of other youth (12 to 14 years old) but did not age out and they carried-over gang membership into adulthood. The other group of interest is the adult onset trajectory. This group was 17% of the entire sample of gang members and 90% of them joined the gang on average at 20 years old. However, this group still reported short term gang membership with an average of 1.62 years in the gang.

The empirical gang research focuses on youth, and the short-term duration of gang membership for that age group appears to be fairly well documented. Yet, research using exclusively adolescent respondents represents a limitation.

One final note regarding gang membership duration – the type of gang may correlate with the duration of membership. Melde, Diem, and Drake (2013) found a positive relationship between gang organization and membership duration. The more highly organized the gang, the more likely repeated gang membership was reported. Gang organization was measured by considering “whether the gang had initiation rites, established leaders; regular meetings, specific

rules; specific roles for members, roles for each age group, and specific symbols and /or colors” (Melde, Diem, and Drake, 2013, p. 490).

Gang Desistance and Identifying Former Gang Members

As discussed previously, gang careers appear to be short and, therefore, “most gang members become ex-gang members” (Klein, 2009, p. 719). It may be worthwhile to highlight the issues faced by researchers related to studying gang desistance and consider those issues in tandem with policies that may be implemented to determine whether or not a person ought to be removed from a gang database.

The immediate conceptual difficulty is that assessing gang desistance is a different proposition than judging the related issue of crime desistance. This complexity is perhaps best stated in the observation that “belonging to a gang is a state while committing a crime is an act” (Pyrooz, Decker, & Webb, 2014, p. 496). As an additional wrinkle, gang desistance is composed of an event and a process. Sweeten, Pyrooz, and Piquero (2013) conceptualize gang desistance as both the event of de-identification as a gang member and the process of disengagement through a progression of reduced embeddedness in the gang.

It is not uncommon for researchers to measure de-identification via a self-nomination process. There are a couple of variations on this theme. Researchers might ask a respondent to self-nominate gang membership: “Have you ever been in a gang?” And then follow this question with: “Are you currently in a gang?” If a person answered affirmatively to the first query and negatively to the second, they were classified as a former gang member (See e.g., Decker, Pyrooz, & Moule, 2014; Pyrooz & Decker, 2011).

Another method used to measure gang de-identification has been through the collection of panel data. For example, Melde and Esbensen (2014, p. 355) analyzed data that asked respondents, “Are you currently a gang member?” at yearly intervals. They gauged gang desistance by tracking whether a person indicated membership at one point in time but did not denote membership at a later wave of data collection. Researchers using this method have found that youth who have de-identified have a corresponding decrease in delinquency, yet still present an increased risk of offending, “suggesting a more prolonged process of disengagement” (Melde & Esbensen, 2014, p. 370). The degree of embeddedness in the gang may also be relevant with research finding a correlation between embeddedness and duration of gang membership (Pyrooz, Sweeten, & Piquero, 2013).

The process of disengagement from the gang can be slow (Sweeten, Pyrooz, & Piquero, 2013). Disengagement has been characterized as a role transition that “is not a linear process, but rather a series of zigzags that occur over time” (Decker, Pyrooz, & Moule, 2014, p. 281). In fact, there is evidence of inconsistency in self-nominated gang membership data. Researchers using the panel study method have found a phenomenon of “temporary deidentification” for some individuals where a respondent will indicate gang membership at one point, fail to indicate membership at a second point in time, and then re-designate membership at a later data collection wave (Pyrooz, Sweeten, & Piquero, 2013, p. 259).

Individuals who state that they are no longer members of a gang may still maintain social or emotional ties to the gang. Pyrooz, Decker, & Webb (2014) examined a sample of former

gang members who had reported leaving the gang for an average of 20 months. A majority of these individuals still reported at least one remaining social or emotional tie to the gang. Emotional ties were defined as whether the respondent would “respond if the gang was disrespected” or “retaliate if a member of former gang was hurt” (Pyrooz, Decker, & Webb, 2014, p. 500). Respondents were coded as having a social tie if they said they had done any of the following: “hung out with members; worn colors; drank or got high with members; or flashed gang signs” (Pyrooz, Decker, & Webb, 2014, p. 500).

Conversely, older individuals might still consider themselves members of the gang but may have desisted from crime (Pyrooz & Decker, 2011). They would be included as gang members under a self-nomination-only strategy, but it is debatable whether their inclusion in a database is appropriate.

Bolden (2013, p. 485) found evidence of individuals who had “just faded out of the group” as successfully disengaging with the help of a support structure separate from the gang. He also highlights those who had completely moved away from the geographical area. Densley and Pyrooz suggest gang disembedding may be accompanied by “costly or hard-to-fake signals of prosocial intentions and propensities” (2017, p. 10). They propose that serious employment or education, voluntary participation in renouncement rituals that announce social separation from the gang, moving away, violent withdrawal from the group, and verification from embedded gang members that the individual has left are signals that should be considered.

Identifying former gang members and then purging them from the database is an incredibly difficult task. However, if a workable policy can be put into place it may prove to be quite valuable. Overinclusion can occur on the front end by adding individuals who are not gang members into the database, and it can also occur on the back end by continuing to include former gang members who have de-identified and disengaged. Furthermore, in a study by Decker, Pyrooz, and Moule (2014) former gang members were more likely to report being treated like a gang member by law enforcement after they had left the gang (76%) than they were to report getting attacked by their former gang (16%) or a rival gang (35%). Decker, Pyrooz, and Moule (2014) suggest that continuing to include these individuals in a database may negatively impact the process of disengaging.

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